

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**EDUARDO RODRIGUEZ MARTINEZ,  
GUSTAVO HERNANDEZ CORONA,  
AQUILES ALVAREZ VALDES, and  
ANTONIO HERNANDEZ-VILAR**

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**CRIMINAL NO. 7:14-CR-21 (HL)**

**PRELIMINARY ORDER OF FORFEITURE**

WHEREAS, on October 23, 2014, Eduardo Rodriguez Martinez, Gustavo Hernandez Corona, Aquiles Alvarez Valdes, and Antonio Hernandez-Vilar (hereinafter collectively referred to as the “Defendants”) pled guilty to Count One of an Indictment charging the Defendants with Possession of Unauthorized Access Devices, in violation of Title 18, United States Code, Section 1029(a)(3);

AND WHEREAS, the Indictment contained a Forfeiture Notice, pursuant to which the United States seeks forfeiture under Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), and Title 28, United States Code, Section 2461(c), of specific property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation(s), and/or any personal property used or intended to be used to commit the offense(s);

AND WHEREAS, the Court has determined, based on the evidence already in the record, and Defendants’ pleas of guilty to Count One of the Indictment: (1) that Defendants have an ownership interest in the property listed below; (2) that the

following property is subject to forfeiture pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), and Title 28, United States Code, Section 2461(c); and (3) that the United States has established the requisite nexus between the aforesaid offense(s) and the following property, to wit:

**FINANCIAL INSTRUMENTS (GIFT CARDS AND PREPAID CARDS)**

1.) Fifty-Two (52) American Express Gift Cards, containing a monetary amount between \$0-\$100, for the following account numbers:

1. 374327671070519;
2. 374327670927230;
3. 374327675870518;
4. 374327675570514;
5. 374327544284198;
6. 374327670327233;
7. 374327671527237;
8. 374327671478555;
9. 374327475516592;
10. 374327475486986;
11. 374327671178551;
12. 374327546066916;
13. 374327546508255;
14. 374327587037305;
15. 374327544404366;

16. 374327547108253;
17. 374327544023349;
18. 374327544323343;
19. 374327544923340;
20. 374327541923343;
21. 374327547811849;
22. 374327671370513;
23. 374327671227234;
24. 374327670278550;
25. 374327544623346;
26. 374327441948572;
27. 374327476686980;
28. 374327445628139;
29. 374327470524633;
30. 374327470459301;
31. 374327470633426;
32. 374327470759304;
33. 374327445712222;
34. 374327671827231;
35. 374327671778558;
36. 374327544704369;
37. 374327442168717;

38. 374327625436105;
39. 374327628947934;
40. 374327629017695;
41. 374327624639329;
42. 374327625539320;
43. 374327624939323;
44. 374327624836107;
45. 374327442018078;
46. 374327628647930;
47. 374327612587118;
48. 374327612451794;
49. 374327428480383;
50. 374327541623349;
51. 374327541704362; and
52. 374327628848454.

2.) Ninety-Four (94) Vanilla Gift Cards, containing a monetary amount between \$0-\$100, for the following account numbers:

1. 5154623006599833;
2. 5154624636257164;
3. 5154626001575195;
4. 5154622005248087;
5. 5154621070028317;

6. 5154621826293199;
7. 5154621841405364;
8. 5154622856644533;
9. 5154622828759773;
10. 5154624733013502;
11. 5154621852045182;
12. 5154624721813350;
13. 5154623015227137;
14. 5154623084738196;
15. 5154623012213387;
16. 5154623097336343;
17. 5154623066165004;
18. 5154623073234637;
19. 5154623035068404;
20. 5154621890097534;
21. 5154622821355926;
22. 5154622839145582;
23. 5154624742099773;
24. 5154624774765366;
25. 5154623092189192;
26. 5154623099270912;
27. 5154623028724872;

- 28. 5154623028038059;
- 29. 5154623036201400;
- 30. 5154623099861785;
- 31. 5154622867706131;
- 32. 5154621825823210;
- 33. 5154621829945969;
- 34. 5154624761777515;
- 35. 5154624727002321;
- 36. 5154622887344418;
- 37. 5154622860874837;
- 38. 5154622845390370;
- 39. 5154623011366392;
- 40. 5154624736060203;
- 41. 5154622832109908;
- 42. 5154624717168355;
- 43. 5154624777114950;
- 44. 5154624739780278;
- 45. 5154626023086585;
- 46. 5154626081124971;
- 47. 5154624620611566;
- 48. 5154623050114505;
- 49. 5154623050592023;

- 50. 5154623056043468;
- 51. 5154623012304657;
- 52. 5154623004022358;
- 53. 5154624725345516;
- 54. 5154624735348443;
- 55. 5154621099608776;
- 56. 5154621827757705;
- 57. 5154627071441888;
- 58. 5154622043772668;
- 59. 5154627869246044;
- 60. 5154621158933842;
- 61. 5154628757522512;
- 62. 5154626164290798;
- 63. 5154628772849791;
- 64. 5154628704537746;
- 65. 5154626152504895;
- 66. 5154628750120710;
- 67. 5154628777692097;
- 68. 5154627664989756;
- 69. 5154627807055101;
- 70. 5154627811457129;
- 71. 5154627826358346;

- 72. 5154627840446580;
- 73. 5154627809570495;
- 74. 5154628741938147;
- 75. 5154627822848936;
- 76. 5154626179118331;
- 77. 5154628752318726;
- 78. 5154626326720740;
- 79. 5154626306824272;
- 80. 5154626341594385;
- 81. 5154626378014786;
- 82. 5154626323053418;
- 83. 5154626617780098;
- 84. 5154626369596411;
- 85. 5154626356424049;
- 86. 4137291586 (UPC# 799366067010006277009803895725);
- 87. 4137291610 (UPC# 799366067010006277007574961528);
- 88. 4137291611 (UPC# 799366067010006277002502551939);
- 89. 4137291612 (UPC# 799366067010006277007723906374);
- 90. 4137291613 (UPC# 799366067010006277009403657509);
- 91. 4137291614 (UPC# 799366067010006277009146772078);
- 92. 4137291715 (UPC# 799366067010006277005955570454);



93. 4137291676 (UPC#799366067010006277000937682535);

and

94. 1436179002 (UPC# 799366067000006277003909100320).

3.) (15) Wal-Mart Gift Cards, containing a monetary amount between \$0-\$210, for the following account numbers:

1. 4351676022299550;

2. 4351676022299568;

3. 4351677017968233;

4. 4351677017953573;

5. 4351677017968225;

6. 4351674021451462;

7. 4351674021451652;

8. 4351672020604750;

9. 4351674000734250;

10. 4351674000738442;

11. 4351677017373863;

12. 4351677007136064;

13. SC87458603504225124;

14. SC87458603514151641; and

15. SC87458603512753588.

- 4.) Four (4) Multi-Pack Darden Gift Cards consisting of four cards each containing a monetary amount between \$0-\$15, for the following account numbers:
  1. A100629677293; B100629677293; C100629677293; and D100629677293  
(UPC# 799366754290006277004338864411);
  2. A100629673609; B100629673609; C100629673609; and D100629673609  
(UPC# 799366754290006277003328676959);
  3. A100629677294; B100629677294; C100629677294; and D100629677294  
(UPC# 799366754290006277005632298296); and
  4. A100629673604; B100629673604; C100629673604; and D100629673604  
(UPC# 799366754290006277001331746728).
- 5.) Two (2) Red Lobster Gift Cards containing a monetary amount between \$0-\$25, for the following account numbers:
  1. 799366602510006277001038081726, #6091358836915776; and
  2. 799366602510006277002910213650, #6091358836986826.
- 6.) PlayStation Network Card containing a monetary amount between \$0-\$50, for account number: 3060030878;

- 7.) PlayStation Plus 1 year membership \$49.99 for UPC# 799366084360006277004406239496, account number 4520511084; and
- 8.) PlayStation Store Gift Card, containing a monetary amount between \$0-\$50, for UPC# 799366084340006277004772520925, account number 451951651.

**ELECTRONIC EQUIPMENT**

- 1.) Toshiba Laptop Computer, Model A205-S5809, Serial #27312003Q;
- 2.) Power Inverter, Model: X175DM, Serial #0899006894;
- 3.) Miscellaneous Power Cords;
- 4.) HP Laptop Computer, Model HP15HA, Serial #CND406252Z;
- 5.) Samsung Cell Phone, Model SPH-M830, Serial #268435462809651377;
- 6.) Samsung Cell Phone, Model: Galaxy Note II, Serial #R38F11CF36K;
- 7.) MetroPCS Cell Phone, Serial #HT23SX001385;
- 8.) Samsung Cell Phone, Model: Note II, Serial #RVID50H544J;
- 9.) Memorex Jump Storage Device; and
- 10.) Magnetic Card Reader/Writer, Model MSR605, Serial #A514016413.

**MISCELLANEOUS**

1.) Weekly/Monthly Planner.

(hereinafter collectively referred to as the “subject property”).

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED  
THAT:

1. Pursuant to 21 U.S.C. § 853, incorporated by 18 U.S.C. § 1029(c)(2) and 18 U.S.C. § 982(b)(1), 18 U.S.C. ' 3554, and Rule 32.2(b)(1), Federal Rules of Criminal Procedure, the subject property is hereby forfeited to the United States.

2. Upon entry of this Order, the United States Attorney General (or his designee) is authorized to seize the subject property, and to conduct proper discovery in identifying, locating or disposing of the subject property in accordance with FED. R. CRIM. P. 32.2(b)(3) and to commence any applicable proceeding to comply with statutes governing third-party rights, including giving notice of this Order.

3. The United States shall publish notice of the Order and its intent to dispose of the subject property in such a manner as the United States Attorney General (or his designee) may direct. The United States may also, to the extent practicable, provide written notice to any person known to have an alleged interest in the subject property.

4. Any person, other than the above-named Defendant, asserting a legal interest in the subject property must, within thirty (30) days after receipt of notice, or no later than sixty (60) days from the first day of publication on the official internet government forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), whichever is earlier, petition the Court for

a hearing without a jury to adjudicate the validity of his alleged interest in the subject property, and for an amendment of the Order of Forfeiture, pursuant to 21 U.S.C. ' 853(n).

5. **Pursuant to FED. R. CRIM. P. 32.2(b)(4), this Preliminary Order of Forfeiture shall become final as to each Defendant at the time of sentencing and shall be made part of the sentence and included in the judgment.** If no third-party files a timely claim, this Order shall become the Final Order of Forfeiture, as provided by FED. R. CRIM. P. 32.2(c)(2).

6. Any petition filed by a third-party asserting an interest in the subject property shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the subject property, the time and circumstances of the petitioner's acquisition of the right, title or interest in the subject property, any additional facts supporting the petitioner's claim and the relief sought.

7. After the disposition of any motion filed under FED. R. CRIM. P. 32.2(c)(1)(A) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

8. The United States shall have clear title to the subject property following the Court's disposition of all third-party interests, or if none, following the expiration of the period provided in 21 U.S.C. ' 853(n), incorporated by 18 U.S.C. § 1029(c)(2) and 18 U.S.C. § 982(b)(1), for the filing of third-party petitions.

9. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to FED. R. CRIM. P. 32.2(e).

SO ORDERED, this 10th day of November, 2014.

s/ Hugh Lawson  
HUGH LAWSON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA

PREPARED BY:

MICHAEL J. MOORE  
UNITED STATES ATTORNEY

s/ DANIAL E. BENNETT  
ASSISTANT UNITED STATES ATTORNEY  
GEORGIA STATE BAR NO. 052683